

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 79-99 have been considered but are moot in view of the new ground(s) of rejection.

The applicant contends in the interview section of arguments filed 12/17/2009, that the examiner agreed that the proposed amendments would be sufficient to overcome the prior art of record, Maloney, which is not accurate. The amendments discussed in the interview pertained to a fully automated system without the use of a live agent which the applicant did not make.

It is noted, that the applicant only amended that the IVR recited is fully automated and not the entire system. Therefore, the examiner is able to maintain Maloney in addition to a newly introduced prior art.

The examiner introduces new prior art that read on the broad enough independent claims.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 79, 83, 86, 87, 90, and 97 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 79 and 90 line 14 recite "the caller" which is unclear and confusing as there is no prior recitation of a 'caller' in the claims. Therefore it appears that the 'requestor' and the 'caller' are two different people or separate entities requesting info from the 'fully automated IVR unit'. This confusion makes the claims indefinite.

Claims 83, 86-87 and 97 lines 2-3 recite 'a receiver' or 'an agent' which is contradictory to applicant's argument based on the interview discussion with the examiner that the entire system is fully automated. The term 'receiver' is not found in the specification nor is it defined. The agent as defined in applicant's specification (page 9 lines 2-10) is not fully automated but actually a live person. The parent base claims 79 and 90 recite a 'fully automated IVR unit'.

Appropriate clarification and/or correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 79-81, 83-88, 90-94, 96-97, and 99 rejected under 35 U.S.C. 102(b) as being anticipated by Friedes, Patent #5444774.

Regarding claims 79 and 90, Friedes teaches a method and system(Fig.1-2) for responding to a request for information, the system and method comprising:
a fully automated interactive voice response unit (IVR) adapted to identify a requestor during a call(Fig.1-2, col.6 lines 29-col.7 line 3, col.7 lines 35-39,and col.8 lines 30-45), querying the requestor for information during a call, receiving from the requestor the requested information(Fig.5, col.8 lines 57-67 and col.9 lines 17-26);
saving the information received from the requestor as a unit of work record(col.2 line 47-col.3 line 19, and col.9 lines 30-35).

a database coupled to the fully automated IVR and adapted to store the unit of work record, the unit of work record including the information received by said IVR and other existing data pertaining to the requestor(col.2 line 47-col.3 line 19 and col.9 lines 2-33);
a server coupled to the IVR and the database and a workstation coupled to the server, the workstation adapted to receive the unit of work record during contact with said requestor(col.8 line 25-col.9 line 35);

wherein the fully automated IVR dynamically and automatically decides an additional query to ask the requestor during the call based upon information already received from the requestor and based upon other existing data accessed from an additional source(Fig.4, col.2 line 47-col.3 line 19, col.8 lines 57-67 and col.9 lines 17-26);
wherein the system provides the caller with a resolution to the request for information during the call based upon the unit of work record(col.2 line 47-col.3 line 19 and col.9 lines 26-46).

Regarding claim 80, Friedes teaches the method for responding to a request for information of claim 79, further comprising retrieving data from the additional source, wherein the additional source is a local database(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 81, Friedes teaches method for responding to a request for information of claim 79, further comprising retrieving data from the additional source, wherein the additional source is an external database(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 83, Friedes teaches method for responding to a request for information of claim 81, further comprising forwarding the unit of work record to a receiver during the call(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 84, Friedes teaches method for responding to a request for information

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of claim 79, further comprising updating the unit of work record with information each time the information is received from the requestor (Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 85, Friedes teaches method for responding to a request for information of claim 79, wherein the unit of work record is updated to include information from a current contact with the requestor as well as information about a past contact with the requestor(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 86, Friedes teaches method for responding to a request for information of claim 79, further comprising transferring information from a database to a receiver such that the receiver receives the unit of work record and the received information while still in contact with the receiver(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 87, Friedes teaches method for responding to a request for information of claim 79, wherein the requestor is informed of the resolution to the request for information by a receiver, an interactive voice response unit or an agent(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 88, Friedes teaches method for responding to a request for information of claim 87, further comprising comparing the information received from the requestor to the other existing data accessed from the additional source(Fig.4-5 and col.2 line 47-col.3 line 19).

Regarding claim 91, Friedes teaches system for responding to the request for information of claim 90, further comprising a database server coupled to the server and the database(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 92, Friedes teaches system for responding to the request for information of claim 90, further comprising a contact management server coupled to the server and the database(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 93, Friedes teaches system for responding to the request for information of claim 90, wherein the server is coupled to an external database(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 94, Friedes teaches system for responding to a request for information of claim 93, wherein the external database provides additional information that can be stored in the unit of work record(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 96, Friedes teaches system for responding to a request for information of claim 90, wherein the requestor is informed of the resolution to the request for information(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 97, Friedes teaches system for responding to a request for information of claim 96, wherein the requestor is informed of the resolution to the request for information by the IVR, the workstation, or an agent(Fig.1-2 and col.2 line 47-col.3 line 19).

Regarding claim 99, Friedes teaches system for responding to a request for information of claim 90, where the information received from the requestor is compared to the other existing data accessed from the additional source(Fig.1-2 and col.2 line 47-col.3 line 19).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 82, 89, 95, and 98 rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes in view of Jones et al., Patent # 5,239,462.

Regarding claims 82, 89, 95, and 98 Friedes teaches the methods and systems of claims 81, 87, 94, and 97.

Friedes is silent on specifically disclosing if the additional source includes a credit score or history and wherein the resolution to the request for information is selected from the group consisting of an approval or denial of a loan or credit application, an adjustment to a credit limit, an offer, and a negotiation provision.

However, Jones discloses credit history and scoring information and wherein the information is selected from the group consisting of an approval or denial of a loan or credit application, an adjustment to a credit limit, an offer, and a negotiation provision(20-28 Fig.1).

It would have been obvious to one of ordinary skill in the art to include Jones' approval status and credit information into Friedes system. One would have been motivated to do so as Friedes discloses customer account and product/services data(col.7 lines 49-60) and credit information are old and well-known customer account information and product/services data. Customer records as taught by Jones and merely adding this software functionality into Friedes system would make the caller's request more efficient and user-friendly as disclosed in Friedes.

5. Claims 79-81, 83-88, 90-94, 96-97, and 99 rejected under 35 U.S.C. 102(b) as being anticipated by Maloney et al, Patent #5,555,299.

Regarding claims 79 and 90, Maloney teaches a system(Fig.2) and method for responding to a request for information, the system and method comprising:
a fully automated interactive voice response unit (IVR) adapted to identify a requestor during a call(18 Fig.2, col.4 lines 7-8 and 60-65, and col.9 lines 14-19),

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dynamically deciding, at a fully automated interactive voice response unit(Fig.2), an additional query to ask the requestor during the call based upon information already received from the requestor and based upon other existing data accessed from an additional source(*IVR unit Fig.2, col.5 lines 53-59 and col.8-26*);

a database coupled to the IVR and adapted to store a unit of work record, the unit of work record including the information received by said IVR and other existing data pertaining to the requestor(64 Fig.2, col.5 lines 60-67, and col.9 lines 30-54);

a server coupled to the IVR and the database(28/58 Fig.2); and

a workstation coupled to the server, the workstation adapted to receive the unit of work record during contact with said requestor(54 Fig.2 and col.9 lines 48-65);

saving the information received from the requestor as a unit of work record(col.5 lines 60-67, and col.9 lines 30-54);

wherein the IVR dynamically decides an additional query to ask the requestor during the call based upon the information already received from the requestor and based upon the other existing data pertaining to the requestor that has been obtained from an additional source(col.10 lines 2-16);

wherein the system provides the caller with a resolution to the request for information during the call based upon the unit of work record(col.10 lines 16-24).

Regarding claim 80, Maloney teaches the method for responding to a request for information of claim 79, further comprising retrieving data from the additional source, wherein the additional source is a local database(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 81, Maloney teaches method for responding to a request for information

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of claim 79, further comprising retrieving data from the additional source, wherein the additional source is an external database(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 83, Maloney teaches method for responding to a request for information of claim 81, further comprising forwarding the unit of work record to a receiver during the call(col.9 lines 46-67).

Regarding claim 84, Maloney teaches method for responding to a request for information of claim 79, further comprising updating the unit of work record with information each time the information is received from the requestor(col.9 line 46-col.10 line 37)

Regarding claim 85, Maloney teaches method for responding to a request for information of claim 79, wherein the unit of work record is updated to include information from a current contact with the requestor as well as information about a past contact with the requestor(col.10 lines 2-65).

Regarding claim 86, Maloney teaches method for responding to a request for information of claim 79, further comprising transferring information from a database to a receiver such that the receiver receives the unit of work record and the received information while still in contact with the receiver(col.10 lines 2-65)..

Regarding claim 87, Maloney teaches method for responding to a request for information of claim 79, wherein the requestor is informed of the resolution to the request for information by a receiver, an interactive voice response unit or an agent(col.10 lines 2-65).

Regarding claim 88, Maloney teaches method for responding to a request for information of claim 87, further comprising comparing the information received from the requestor to the other existing data accessed from the additional source(col.10 lines 2-65).

Regarding claim 91, Maloney teaches system for responding to the request for information of claim 90, further comprising a database server coupled to the server and the database(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 92, Maloney teaches system for responding to the request for information of claim 90, further comprising a contact management server coupled to the server and the database(58 Fig.2)

Regarding claim 93, Maloney teaches system for responding to the request for information of claim 90, wherein the server is coupled to an external database(64 Fig.2 and 76 Fig.3).

Regarding claim 94, Maloney teaches system for responding to a request for information of claim 93, wherein the external database provides additional information that can be stored in the unit of work record(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 96, Maloney teaches system for responding to a request for information of claim 90, wherein the requestor is informed of the resolution to the request for information(col.10 lines 16-24).

Regarding claim 97, Maloney teaches system for responding to a request for information of claim 96, wherein the requestor is informed of the resolution to the request for information by the IVR, the workstation, or an agent(col.10 lines 16-24).

Regarding claim 99, Maloney teaches system for responding to a request for information of claim 90, where the information received from the requestor is compared to the other existing data accessed from the additional source. ((64 Fig.2 and lines col.5 lines 60-67, and col.10 lines 2-55).

Regarding claim 80, Maloney teaches the method for responding to a request for information of claim 79, further comprising retrieving data from the additional source, wherein the additional source is a local database(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 81, Maloney teaches method for responding to a request for information of claim 79, further comprising retrieving data from the additional source, wherein the additional source is an external database(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 83, Maloney teaches method for responding to a request for information of claim 81, further comprising forwarding the unit of work record to a receiver during the call(col.9 lines 46-67).

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Regarding claim 85, Maloney teaches method for responding to a request for information of claim 79, wherein the unit of work record is updated to include information from a current contact with the requestor as well as information about a past contact with the requestor(col.10 lines 2-65).

Regarding claim 86, Maloney teaches method for responding to a request for information of claim 79, further comprising transferring information from a database to a receiver such that the receiver receives the unit of work record and the received information while still in contact with the receiver(col.10 lines 2-65)..

Regarding claim 87, Maloney teaches method for responding to a request for information

of claim 79, wherein the requestor is informed of the resolution to the request for information by a receiver, an interactive voice response unit or an agent(col.10 lines 2-65).

Regarding claim 88, Maloney teaches method for responding to a request for information of claim 87, further comprising comparing the information received from the requestor to the other existing data accessed from the additional source(col.10 lines 2-65).

Regarding claim 91, Maloney teaches system for responding to the request for information of claim 90, further comprising a database server coupled to the server and the database(64 Fig.2 and lines col.5 lines 60-67).

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Regarding claim 93, Maloney teaches system for responding to the request for information of claim 90, wherein the server is coupled to an external database(64 Fig.2 and 76 Fig.3).

Regarding claim 94, Maloney teaches system for responding to a request for information of claim 93, wherein the external database provides additional information that can be stored in the unit of work record(64 Fig.2 and lines col.5 lines 60-67).

Regarding claim 96, Maloney teaches system for responding to a request for information of claim 90, wherein the requestor is informed of the resolution to the request for information(col.10 lines 16-24).

Regarding claim 97, Maloney teaches system for responding to a request for information of claim 96, wherein the requestor is informed of the resolution to the request for information by

the IVR, the workstation, or an agent(col.10 lines 16-24).

Regarding claim 99, Maloney teaches system for responding to a request for information of claim 90, where the information received from the requestor is compared to the other existing data accessed from the additional source. ((64 Fig.2 and lines col.5 lines 60-67, and col.10 lines 2-55).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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Claims 82, 89, 95, and 98 rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney in view of Jones et al., Patent # 5,239,462.

Regarding claims 82, 89, 95, and 98 Maloney teaches the methods and systems of claims 81, 87, 94, and 97.

Maloney is silent on specifically disclosing if the additional source includes a credit score or history and wherein the resolution to the request for information is selected from the group consisting of an approval or denial of a loan or credit application, an adjustment to a credit limit, an offer, and a negotiation provision.

However, Jones discloses credit history and scoring information and wherein the information is selected from the group consisting of an approval or denial of a loan or credit application, an adjustment to a credit limit, an offer, and a negotiation provision(20-28 Fig.1).

It would have been obvious to one of ordinary skill in the art to include Jones' approval status and credit information into Maloney system. One would have been motivated to do so as Maloney discloses of caller's/customer records(col.6 lines 7-16) and credit information are old and well-known customer records as taught by Jones and merely adding this software functionality into Maloney system would make the caller's request and call more efficient(see background info in Maloney col.9 lines 36-46).

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544. The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/
Primary Examiner, Art Unit 2614